

Remarks

These remarks are being submitted in response to the Office Action mailed in this application on April 4, 2007. Claims 5, 6, 8-10, 14, 15 and 18-20 are pending in this application. Reconsideration of this application is respectfully requested.

Claims 5, 6, 8-10, 14, 15 and 18-20 were rejected under 35 U.S.C. §112, second paragraph. According to the Action, the claims are confusing for reciting that the barrier aerosol [vessel] is “self-sealing”. Applicants disagree. In fact, it appears to Applicants that the expression is well defined and quite clear. It is noted that the Action explains that the expression “is interpreted to have its ‘ordinary and customary meaning’”, and the Action explains in detail the examples provided in the specification. Nothing seems unclear. Accordingly, Applicants request that this rejection be withdrawn.

Claims 5, 6, 8-10, 14, 15 and 18-20 were then rejected as anticipated under 35 U.S.C. §103(a) as being unpatentable over EP 0 666 081 (‘081), U.S. Patent No. 3,788,521 (‘521) and U.S. Patent No. 3,976,223 (‘223). Applicants traverse this rejection.

The Action appears to indicate a continued misunderstanding of the invention and a reformulation of a prior rejection. While ‘081 does disclose a gel, ‘081 does not disclose a method of, and a vessel, for safely and efficiently dispensing multiple doses of wound-treating gel where the gel is in gel form in the container, and the vessel’s self-sealing characteristic minimizes the contamination of the gel after the use of the vessel.

‘223 is cited allegedly to show an aerosol container containing a gel. However, the purpose of the package of ‘223 is to separately store a plurality of flowable substances in a single package from which such substances may be dispensed. According to ‘223, only the lower chamber of the outer container is pressurized with a gas through a self-sealing plug in the container bottom. See, *e.g.*, column 2, lines 53-57. Since only the lower chamber of the outer container of ‘223 is pressurized with a gas through a self-sealing plug, the container in ‘223 is not self-sealing as required in the rejected claims. Moreover, it is submitted that ‘223 does not address the avoidance of contamination during use. Rather, any avoidance of contamination appears to be with respect to storage. See, *e.g.*, column 5, lines 23-32 and column 6, lines 8-13.

The addition of '521 does not make up for the deficiencies of the other two documents. It is cited in the specification as showing one example of the general "type" of vessel used. However, as noted in the action, '521 does not teach delivering gel.

For all these reasons, Applicants request that this rejection be withdrawn.

In view of the foregoing, reconsideration of this application, withdrawal of the rejections and allowance with all the pending claims are respectfully requested.

Respectfully submitted,

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